

**IN THE UNITED STATE DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**JULIE DELANEY and  
WILLIAM P. DELANEY,**

**Plaintiffs,**

**v.**

**ELI LILLY AND COMPANY,**

**Defendant.**

]
  
]
  
]
  
]
  
]
  
]
  
]
  
]
  
]

**Civil Action No.: 1:05-cv-10241-MLW  
Next Event: Mediation with Magistrate  
Bowler on April 20, 2006**

**PLAINTIFFS' CONSENT MOTION TO RE-SCHEDULE MEDIATION HEARING**

COME NOW the plaintiffs, by and through counsel, **and with the consent of the defendant**, and hereby moves the Court to enter an Order re-scheduling the Mediation set for April 20, 2006 with Magistrate Judge Marianne Bowler, and as grounds therefor states:

1. This is a products liability/personal injury case arising from plaintiff Julie Delaney's in utero exposure to diethylstilbestrol ("DES").

2. On March 3, 2006, Magistrate Bowler entered an Order scheduling this matter for a Mediation Hearing on April 20, 2006 beginning at 10:00 a.m. Trial counsel for the plaintiffs, Aaron M. Levine, due to prior commitments, will be out of the country on April 20th. The plaintiffs respectfully request that the Mediation be continued to a date after May 1, 2006.

3. Both counsel for plaintiffs and defendant are available on any date in the first two weeks of May 2006 except for May 9, 2006.

4. The plaintiffs respectfully request that the Mediation be re-scheduled at Magistrate Bowler's earliest available and convenient date after May 1, 2006 with the exception of May 9, 2006.

5. Counsel for defendant consents to the granting of this Motion.

WHEREFORE, the plaintiffs respectfully request that this Court enter an Order continuing the Mediation Hearing in this matter to Magistrate Bowler's earliest and available convenient date after May 1, 2006, with the exception of May 9, 2006.

Respectfully submitted,

/s/ Erica Tennyson

Juliet Davison (BBO#562289)  
Erica Tennyson (BBO#660707)  
TODD & WELD LLP  
28 State Street  
Boston, MA 02109  
617-720-2626

Aaron M. Levine, Esq.  
AARON M. LEVINE & ASSOCIATES  
1320 19th Street, N.W.  
Suite 500  
Washington, DC 20036  
202-833-8040

Counsel for Plaintiffs

Dated: March 7, 2006

**LOCAL RULE 7.1(A)(2) CONFERRAL CERTIFICATION**

I have been informed that consent to the foregoing Consent Motion to Re-Schedule Mediation Hearing was granted by counsel for Defendant Lilly on March 6, 2006.

/s/ Erica Tennyson

Erica Tennyson

**CERTIFICATE OF SERVICE**

I, Erica Tennyson, hereby certify that this Consent Motion to Re-Schedule Mediation Hearing filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 7, 2006.

/s/ Erica Tennyson

Erica Tennyson

**IN THE UNITED STATE DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**JULIE DELANEY and  
WILLIAM P. DELANEY,**

**Plaintiffs,**

**v.**

**ELI LILLY AND COMPANY,**

**Defendant.**

]
]
]
]
]
]
]
]
]
]

**Civil Action No.: 1:05-cv-10241-MLW  
Next Event: Mediation with Magistrate  
Bowler on April 20, 2006**

**[PROPOSED] ORDER**

UPON CONSIDERATION of the Plaintiffs' Consent Motion to Re-Schedule Mediation Hearing, and for good cause shown, it is this \_\_\_\_\_ day of \_\_\_\_\_, 2006,

ORDERED that the Motion be and hereby is GRANTED;

AND IT IS FURTHER ORDERED that the Mediation Hearing set for April 20, 2006 be continued to Magistrate Bowler's earliest convenient date after May 1, 2006, with the exception of May 9, 2006.

\_\_\_\_\_  
MARK L WOLF  
United States District Judge